

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action dated December 31, 2003. Claims 1-28 are currently pending in the application. As indicated above, Claims 1 and 13 have been amended and new Claims 25-28 have been added.

In the Office Action, the Examiner has rejected Claims 1 and 13 under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art in view of *Hughes et al.* (U.S. 4,730,307), Claims 3-5, 9-12, 15-17, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art and *Hughes* in view of *Scott et al.* (6,154,486), and Claims 2 and 14 under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art and *Hughes*, and further in view of *Nakamura et al.* (U.S. 6,314,090). Further, the Examiner has now rejected Claims 6-8 and 18-20, in which the Examiner previously found allowable subject matter under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art, *Hughes* and *Scott* in view of *Szczutkowski et al.* (U.S. 4,187,146).

As stated above, the Examiner has rejected Claims 1 and 13, the independent claims of the present application, under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art in view of *Hughes*. More specifically, the Examiner asserts that applicants' admitted prior art discloses all the elements of Claims 1 and 13 except for intermittently transmitting a preamble signal during a preamble interval prior to a transmission interval of a reverse access channel message, which is allegedly disclosed in *Hughes*. However, as indicated above, independent Claims 1 and 13 have been amended to recite that *the preamble interval includes a plurality of transmission intervals and a plurality of non-transmission intervals*. It is respectfully submitted that none of the art cited by the Examiner discloses this recitation. Therefore, it is respectfully submitted that amended independent Claims 1 and 13 are patentably distinct from applicants' admitted prior art in view of *Hughes*, and it is respectfully submitted that the rejections of Claims 1 and 13 be withdrawn.

It is respectfully submitted that Claims 1 and 13 are in condition for allowance. Without conceding the patentability per se of dependent Claims 2-12 and 14-28, they are likewise believed to be allowable by virtue of their dependence on Claims 1 and 13, respectively. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-12 and 14-24 are respectfully requested.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-28 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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